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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/735,410	10/26/96	MCROHAN, GOLDBECK, SMITH, EDELL, WELTER & SCHMIDT	6375.0001

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EXAMINER

GRIFFIN, S

ART UNIT

1-300-3

PAPER NUMBER

DATE MAILED:

11/19/96

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No. 08/548,418	Applicant(s) Mizusugi et al.
	Examiner Steven P. Griffin	Group Art Unit 1303

Responsive to communication(s) filed on Sep 3, 1996

This action is **FINAL**.

Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

Claim(s) 5-8 and 10 is/are pending in the application.
 Of the above, claim(s) _____ is/are withdrawn from consideration.

Claim(s) _____ is/are allowed.

Claim(s) 5-8 and 10 is/are rejected.

Claim(s) _____ is/are objected to.

Claims _____ are subject to restriction or election requirement.

Application Papers

See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

The drawing(s) filed on _____ is/are objected to by the Examiner.

The proposed drawing correction, filed on _____ is approved disapproved.

The specification is objected to by the Examiner.

The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

All Some* None of the CERTIFIED copies of the priority documents have been
 received.
 received in Application No. (Series Code/Serial Number) _____
 received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

Notice of References Cited, PTO-892
 Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
 Interview Summary, PTO-413
 Notice of Draftsperson's Patent Drawing Review, PTO-948
 Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Claim Rejections - 35 USC § 112

1. Claims 5-8 and 10 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 5, lines 7-8, "said opposite side second suction chambers" lacks antecedent basis, it is believed that "opposite side" should be deleted to overcome this. Claim 5, lines 8-10, the recitation "opposite side areas of the sheet of glass being attracted and bent against the curved second shaping surface areas" is not clear in the context of the claim as this recitation lacks any nexus to the previously recited recitations in the claims, for instance, it is not clear if bending and attracting of the side areas of the glass sheets are a result of the vacuums which have been developed. Claim 5, lines 8-9, "opposite side areas of the glass sheet" is not clear what it is referring to as any opposite side areas of the glass sheet have not been positively recited.

Claim 6, line 2, the recitation of "opposite side areas" in is not clear if it is referring to the same opposite side areas

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of claim 5 or different opposite side areas as no nexus has been provided. Claim 6, line 3, "said opposite side area" is not clear if it is referring to the opposite side areas of claim 5 or of line 2 of this claim.

Claim 10, line 10, "chamber" is misspelled.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. § 103, the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 C.F.R. § 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order

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for the examiner to consider the applicability of potential 35 U.S.C. § 102(f) or (g) prior art under 35 U.S.C. § 103.

3. Claims 10 and 5-8 are rejected under 35 U.S.C. § 103 as being unpatentable over Seymour 4,229,200 in view of McMaster 4,609,391.

Regarding claims 10 and 5, Seymour essentially discloses the claimed method; see col. 11, line 57 to col. 12, line 31; note that the first vacuum developed in the element 40 (first suction chamber) of Seymour occurs prior to the application of a vacuum in curved shaping blocks 120 (second suction chambers) of Seymour which are located on opposite sides of the first suction chamber 40. Seymour fails to place the glass sheet on a ring mold to place the sheet under the suction mold. Seymour discloses a tempering station 12 for tempering the glass after bending, Seymour fails to discuss the particulars of the tempering steps. McMaster discloses a method for bending glass plates wherein a heated glass sheet (G) is placed onto a ring mold (42) and then the ring mold with the glass plate is moved beneath a suction mold (5) wherein the mold attracts the glass plate by suction and bends the glass plate, after bending McMaster further discloses that it is conventional to release the bent glass sheet from the suction mold onto a ring (56) for movement of the glass to quench station (24) to temper the glass

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sheet. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a ring mold for transferring the heated glass sheet under the suction mold as in McMaster in order to provide for an efficient means for moving the heated glass sheet under the bending suction mold and to further use a quench ring as in McMaster in the method of Seymour in order to transfer the bent glass sheet to the quench station for tempering the bent glass sheet. Regarding claim 6, the sheet of Seymour is bent from the central region of the sheet to the side areas of the sheet. Regarding claim 7, Seymour discloses using a stretchable fabric covering such as a knit fiber glass fabric on the shaping surfaces to protect surface of the glass sheets (see col. 5, lines 50-55). Regarding claim 8, Seymour clearly shows the glass sheet as being planar prior to attraction (see Figs. 16-17).

4. Claims 10 and 5-8 are rejected under 35 U.S.C. § 103 as being unpatentable over Seymour in view of Kuster et al. 4,859,225.

Regarding claims 10 and 5, Seymour is applied as above. Seymour fails to place the glass sheet on a ring mold to place the sheet under the suction mold. Seymour discloses a tempering station 12 for tempering the glass after bending, Seymour fails to discuss the particulars of the tempering steps. Kuster '225

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discloses a method for bending glass plates wherein a heated glass sheet (9) is placed onto a ring mold (33) and then the ring mold with the glass plate is moved beneath a suction mold (5) wherein the mold attracts the glass plate by suction and bends the glass plate after bending Kuster '225 further discloses that it is conventional to release the bent glass sheet from the suction mold onto a ring (support frame 48) for movement of the glass to tempering station (5) to temper the glass sheet. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide a ring mold for transferring the heated glass sheet under the suction mold as in Kuster '225 in order to provide for an efficient means for moving the heated glass sheet under the bending suction mold and to further use a support frame/ring as in Kuster '225 in the method of Seymour in order to transfer the bent glass sheet to the tempering station for tempering the bent glass sheet. Regarding claim 6, the sheet of Seymour is bent from the central region of the sheet to the side areas of the sheet. Regarding claim 7, Seymour discloses using a stretchable fabric covering such as a knit fiber glass fabric on the shaping surfaces to protect surface of the glass sheets (see col. 5, lines 50-55). Regarding claim 8, Seymour clearly shows the glass sheet as being planar prior to attraction (see Figs. 16-17).

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Response to Amendment

5. Applicant's arguments filed 9-3-96 have been fully considered but they are not deemed to be persuasive. In response to the argument that Seymour includes the step of dropping the glass to finalize bending it is considered that Seymour in view of either McMaster or Kuster discloses the invention as claimed, the fact that Seymour discloses additional method steps is irrelevant. Seymour teaches the forming of a glass sheet sequentially by first forming on the first suction chamber 40 and then sequentially forming the bent glass on second suction chambers 120.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for response to this final action is set to expire THREE MONTHS from the date of this action. In the event a first response is filed within TWO MONTHS of the mailing date of this final action and the advisory action

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is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event will the statutory period for response expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven P. Griffin whose telephone number is (703) 308-1164. The examiner can normally be reached on Monday-Thursday from 6:30 AM-4:00 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Czaja, can be reached on (703) 308-3852. The fax phone numbers for this Group are (703) 305-7115, 7718, or 7719.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0651.

Donald Czaja
DONALD E. CZAJA
SUPERVISORY PATENT EXAMINER
GROUP 130

SPG *J. Griffin*
June 24, 1996